REMARKS

Applicant appreciates the detailed examination evidenced by the Office Action mailed April 1, 2009 ("Office Action"). In response to the rejections of Claims 1, 2 and 5-7 under 35 U.S.C. § 101 (Final Action, p. 2), Applicant has amended independent Claim 1 to include recitation of "generating records of service orders of a population of service orders responsive to external inputs to a service order processing computer system and storing the generated records in a first database." Support for such recitations is provided, for example, by Fig. 3 and the description thereof in paragraph [0022] of the specification. Applicant submits that these additional recitations provide significant structural limitations sufficient to overcome the rejections of Claims 1, 2 and 5-7 under §101. Accordingly, Applicant request that these rejections be withdrawn.

In response to the rejections of Claims 1, 2, 5-9 and 17 under 35 U.S.C. §103, Applicant has further amended independent Claim 1 to recite:

> A method of monitoring service order processing in a service order process, the method comprising the following acts performed in a computer:
>
> generating records of service orders of a population of service orders responsive to operator inputs to a service order processing computer system and storing the generated records in a first database;
>
> generating respective series of successive time samples of status identifiers from the stored records that indicate a relationship of respective service orders to a stage of the service order process, wherein generating respective series of successive time samples of the status identifiers from the stored records comprises:
>
> > periodically extracting the stored records of the service orders of the population of service orders from the first database to generate respective time samples of the status identifiers from the extracted records for respective times for the population of service orders; and
> >
> > storing the time samples of the status identifiers in a second database;
>
> identifying transitions in the status identifiers by comparing service order status identifiers of the time samples of the status identifiers stored in the second database;
>
> storing records of the identified transitions and corresponding times of the identified transitions in the second database;
>
> analyzing the stored records of the identified transitions to determine completion intervals for the stages; and
>
> computing an aggregate measure of progression of the population of status orders through the service order process from the determined completion intervals.

Independent Claims 8 and 13 have been similarly amended. Support for such recitations is provided, for example, by paragraphs [0020]-[0023].

The Office Action rejects Claims 1, 8 and 13 under 35 U.S.C. § 103 as allegedly unpatentable over a combination of U.S. Patent No. 6,349,238 to Gabbita et al ("Gabbita") and U.S. Patent No. 6,104,798 to Lickiss et al ("Lickiss"). Office Action, p. 6. Specifically, the Office Action alleges that Gabbita teaches "periodically extracting service order information from a first database," citing paragraphs from columns 19 and 21. Office Action, p.7. The cited paragraph from column 19 states (emphasis added):

> In general, System Notification Steps are used to pass information between LSAT 102 and the various computer systems 106-114. These steps are generally completed automatically by LSAT 102 or by the various computer systems 106-114 when certain activities are completed. Typically, System Notification steps can occur using one of two methods, depending on the particular system 106-114 involved and the Workflow Step. ***In one method, LSAT 102, continuously or periodically polls the other computer system, such as SRMS 106, for the presence of a particular event. For example, LSAT 102 can systematically poll SRMS 106 for the presence of new Service Orders***. Alternatively, each of the computer systems 106-114 are programmed to specifically send a message to LSAT 102, when particular events occur. For example, in one implementation, SRMS sends LSAT 102 a message, indicating the a new Service Order is ready to be processed. Of course, a combination of these two methods can be used in alternative embodiments of the present invention.

Gabbita does not disclose or suggest that the "polling" described in the cited paragraph from column 19 includes "periodically extracting the stored records of the service orders of the population of service orders from the first database to generate respective time samples of the status identifiers from the extracted records for respective times for the population of service orders." ***Polling for the presence of new service order*** is not equivalent to ***periodically extracting the stored records of the service orders*** as recited in Claim 1, or corresponding recitations from Claims 8 and 13.

The cited paragraph from column 21 states:

> An example of a tabular representation of the Workflow diagram 300 is depicted in FIG. 4. The Workflow Table 400 depicts information that is extracted from the DBMS 104 by LSAT 102 to select and process Service Orders. In the Workflow Table 400, each of the Workflow Steps are represented by a row (labeled 1-30), as column 402 indicates. In addition, each of the 10 columns 404-422 represent a

> specific type of information extracted from the database 104 that is associated with the Workflow Step.

The material from column 21 also does not teach or suggest "periodically extracting the stored records of the service orders of the population of service orders from the first database to generate respective time samples of the status identifiers from the extracted records for respective times for the population of service orders" because, for example, none of the information listed in the Workflow Table 400 appears to coincide with "time samples of the status identifiers from the extracted records." Accordingly, Gabbita does not teach or suggest at least these recitations from Claim 1, or corresponding recitations from Claims 8 and 13.

Lickiss does not provide these missing teachings. The Office Action alleges that Lickiss teaches "generating respective series of successive time samples of service order information for respective service orders of a population of service order," citing column 4, lines 21-26 and column 7, lines 12-16. Office Action, p. 10. These passages are quoted in full below:

> Advantageously, throughout the process, the CD Server updates status of each order in the Order Tracking Database. Using the Client, a customer can view the status of their orders in real-time. Additionally, a variety of reports can be generated to provide more accurate and timely status information than prior art systems.
>
> . . . Throughout the process, the CD Server 130 updates order status in the Order Tracking Database 175, and provides reports such as front-end rejects, outbound installs, outbound disconnects, batch status, aged LEC rejects, pending LEC action, batch summary, and LEC disconnects to the customers via the GUI 110. The CD Server 130 also supports ad-hoc queries against the Order Tracking Database.

There is nothing in these passages that discloses or suggests "periodically extracting the stored records of the service orders of the population of service orders from the first database to generate respective time samples of the status identifiers from the extracted records for respective times for the population of service orders" as recited in amended independent Claim 1. In particular, these passages include no discussion of periodic extraction of records to generate time samples of status identifiers and no explanation as to how and when status transitions are identified, e.g., no explanation as to how and when the CD Server "updates order status" other than "throughout the process." Therefore, Lickiss does not supply the teachings missing from Gabbita.

For at least the foregoing reasons, Applicant submits that the cited combination of Gabbita and Lickiss does not disclose or suggest the recitations of amended independent Claims 1, 8 and 13. Accordingly, Applicant submits that amended independent Claims 1, 8 and 13 are patentable. Applicant further submits that dependent Claims 2, 3, 5-7, 9, 11, 12 and 14-17 are patentable at least by virtue of the patentability of the respective ones of independent Claims 1, 8 and 13 from which they depend.

As all of the claims are now in condition for allowance, Applicant respectfully requests allowance of the claims and passing of the application to issue in due course. Applicant urges the Examiner to contact Applicant's undersigned representative at (919) 854-1400 to resolve any remaining formal issues.

Respectfully submitted,

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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on June 25, 2009.

Audra Wooten